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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 11

Judith R. Mandujano,

Case No. 17-23716 (RDD)

Debtor

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**APPLICATION FOR ORDER APPROVING RETENTION OF THE LAW OFFICE
OF CUSHNER & ASSOCIATES, P.C. AS ATTORNEY FOR THE DEBTOR AND
DEBTOR-IN-POSSESSION IN SUBSTITUTION OF DEBTOR'S CURRENT
COUNSEL, *NUNC PRO TUNC* AS OF FEBRUARY 18, 2019**

Judith R. Mandujano, the above captioned ("Debtor") submits this application seeking entry of an order authorizing the retention of the law Office of Cushner & Associates, P.C., as her attorneys with Charles A. Higgs, Esq. to serve as Of Counsel to Cushner & Associates, P.C. in this case ("Cushner & Associates"). In support of this Application, I declare as follows:

JURISDICTION

1. The Court has jurisdiction over the Application under 28 U.S.C. §§ 157 and 1334.
2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
3. Venue is proper before this Court pursuant to 28 U.S.C. §1408 and 1409.

BACKGROUND

4. On November 9, 2017, (the "Petition Date"), I filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code with the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court").

5. I have continued as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No request for a trustee or examiner has been made in my Chapter 11 Case.

6. I own certain real property, as listed in the Petition, I filed this bankruptcy petition seeking reorganization of those Properties.

7. The bankruptcy case was filed by E. Waters & Associates, P.C.

8. Unfortunately, I have been unable to reach E. Waters & Associates and I am not confident in their ability to represent me going forward. I therefore request that the Cushner & Associates be substituted as attorney for the Debtor.

RELIEF REQUESTED

9. I seek the entry of an order, substantially in the form attached hereto as **Exhibit A**, pursuant to sections 327(a) and 330 of the Bankruptcy Code, Bankruptcy Rules 2014(a), 2016 and 6003 and Local Rules 2014-1 and 2016-1 authorizing the employment and retention of Cushner & Associates to act as my attorneys in my case.

10. I seek the retention of Cushner & Associates based on the firm's knowledge and experience in the areas of bankruptcy law and property litigation.

11. I do not believe that Cushner & Associates holds any interests adverse to my interests.

12. I have no connection to Cushner & Associates other than their proposed retention for assistance and services to be provided to the me in this bankruptcy case. I have not paid any money to Cushner & Associates, nor has anyone paid money to Cushner & Associates on my behalf.

13. Subject to, and upon approval by the bankruptcy Court, I have agreed to pay an initial post-petition retainer in the amount of ten thousand dollars (\$10,000.00) to Cushner & Associates upon the entry of authorizing the retention of the law Office of Cushner & Associates, P.C., as her attorneys., with Charles A. Higgs, Esq. to serve as Of Counsel to Cushner & Associates, P.C. (Annexed hereto as **Exhibit "B"** is a copy of my Retainer Agreement with Cushner & Associates).

GROUND FOR RELIEF

14. Section 327(a) of the Bankruptcy Code provides that a debtor, subject to court approval:

“[M]ay employ one or more attorneys, accountants, appraisers, auctioneers, “or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the [debtor] in carrying out the [debtor's] duties under [the Bankruptcy Code].”

11 U.S.C. § 327(a).

15. Bankruptcy Rule 2014(a) requires that an application for retention include:

“[S]pecific facts showing the necessity for the employment, the name of the [firm] to be employed, the reasons for the selection, the professional services to be rendered, any proposed arrangement for compensation, and, to the best of the applicant's knowledge, all of the [firm's] connections with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee.”

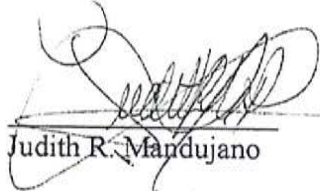
Fed. R. Bankr. P. 2014(a).

16. I believe that the employment of Cushner & Associates is in my best interests and the bankruptcy estate and desires to employ Cushner & Associates with compensation to be determined upon application to this Court.

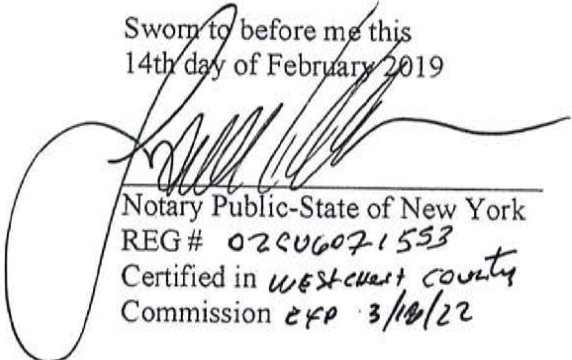
17. No previous application for the relief sought herein has been made.

WHEREFORE, I respectfully request for the reasons set forth herein that the Court enter an order authorizing and approving the retention and employment of Cushner & Associates for me in substitution and in place of my current attorney E. Waters & Associates, P.C, and granting such other and further relief as this Court deems just and proper.

Dated: White Plains, New York
February 14, 2019


Judith R. Mandujano

Sworn to before me this
14th day of February 2019


Notary Public-State of New York
REG # 02CU6071553
Certified in *Westchester County*
Commission *exp 3/18/22*

TODD S. CUSHNER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02CU6071553
Qualified in Westchester County
Commission Expires March 18, 20 *22*